



# Welcome home

Step-by-step guide leads prospective parents through Missouri's adoption process from finding children to bringing them home for the rest of their lives. Contact information and other resources are provided.



**WELCOME  
HOME**

Forms to adopt can be found  
on the Attorney General's Web site at  
[ago.mo.gov/divisions/consumer/adoption/](http://ago.mo.gov/divisions/consumer/adoption/).

## **Welcome Home can help smooth adoption process for Missourians**

**Dear Missourians,**

It is my pleasure to provide this new publication, *Welcome Home*, to help educate Missourians who are considering adoption.

Legally, adoption means a single person or couple become the legal parents of a child. Emotionally, adoption means the prospective parents and child become a family.

In pursuing an adoption, prospective adoptive parents must consider a variety of factors: Do they want to adopt a child from this country or from abroad? What type of adoption services provider do they want to work with? What costs are they going to face and are there resources to help?

Once the prospective parents have answered those questions, they must get familiar with the

steps necessary to complete an adoption.

Because the decision to pursue an adoption is an emotional one, it puts some prospective parents in a vulnerable position when making these decisions. It is my hope that *Welcome Home* will provide these prospective parents with basic information that will guide them to ask the necessary questions to make good decisions.

I want to thank the members of the [adoption task force](#) (listed on page 25) who helped provide the expertise in putting this publication together. I appreciate their commitment to families and children and hope that this publication will encourage more people to consider and pursue adoptions in Missouri.

Sincerely,

Joshua D. Hawley  
Attorney General of Missouri



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“It can be so rewarding to adopt foster children. There are so many kids, some in your own back yard.”

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At least half of the estimated 30,000 annual domestic adoptions are completed independently.

# Types of adoptions

Prospective adoptive parents have several choices to make as they decide what type of adoption to pursue. Each comes with its own variations on the legal process and with its own costs, benefits and risks. You can adopt within the United States or in another country. For domestic adoptions, there are four types: adoptions through a private agency, through a lawyer or counselor, stepparent adoptions, and through a public agency or foster care.

## DOMESTIC ADOPTION

### PRIVATE AGENCY

A private agency adoption is overseen by a privately funded, state-licensed adoption agency. Adoptive parents apply directly to the agency.

Birth parents relinquish their parental rights and transfer child custody to the adoption agency, and work with agency professionals placing the child in a loving, nurturing home.

Birth parents typically choose the adoptive parents, and may meet them before placement.

Today, the adoption process is at least somewhat open, where there is at least some contact between the birth parents, and adoptive parents and the child. Adoption agencies typically handle adoption of younger children and infants.

It can take many months or even years to complete an adoption, depending on desires of the prospective parents, age of the child preferred and degree of openness throughout the process.



Andrew, now 5, was adopted through Catholic Charities in Kansas City. His new parents took him home when he was 13 days old. "He was a beautiful little boy," says father Kevin.

### PRIVATE AGENCY AT A GLANCE

**Typical cost:** \$4,000-\$30,000. Costs to adopt "special needs" children may be lower, and many agencies have a sliding fee scale based on income. The cost may include a home study, living expenses for the birth parents, counseling for birth and adoptive parents, medical expenses, legal fees and possibly foster care. Tax credits are available to defer some costs, based on income.

**Benefits:** The agency helps the prospective adoptive parents through the process and matches a child with the adoptive parents. Adoption agencies typically have set, predictable fees.

**Risks:** Before the adoption, the birth parents may change their minds. Besides the agency setting the minimum criteria for adoptive parents to qualify, birth parents often choose from those adoptive parents, which can significantly slow the process.

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**DOMESTIC ADOPTION****INDEPENDENT**

In an independent or private adoption, prospective adoptive parents use an adoption attorney or counselor and seek birth parents by networking with friends and family, advertising in newspapers, mailing resumes to obstetricians, and even setting up Web pages.

The birth and adoptive parents arrange for the adoption, and the adoptive parents often financially assist the birth parent until the child is adopted.

An agency still would provide the home study to ensure the prospective adoptive parents are suitable and would provide post-placement supervision.

**INDEPENDENT ADOPTION  
AT A GLANCE**

**Typical cost:** \$5,000-\$40,000.

Expenses include legal fees for the adoptive and birth parents, cost of finding a birth parent, medical expenses, counseling, and other expenses to support the birth mother.

**Benefits:** Adoptive parents have more control. They control the search for the birth mother, how open the process is, and they do not have to meet specified criteria. Waiting time for independent adoptions can be relatively short depending on how quickly the adoptive parents can find a suitable birth parent.

**Risks:** Finding a birth parent is not a guarantee, and could take years. The cost is highly unpredictable, and supporting the birth mother through pregnancy may be costly and emotionally complicated. The birth parents can change their minds before relinquishing their parental rights.



Andrew's birth mother chose his new parents. The open adoption happened quickly — it took about nine months.



After having problems conceiving, mid-Missouri couple Karen and Kevin decided to adopt Andrew through an independent adoption. Adoption expenses totaled more than \$5,000. At the time, they had been considering adopting a child in foster care. Biological son Ryan, left, was born 18 months after Andrew's adoption.

“We decided we would take whatever kid was available that needed a home,” Kevin says when he and wife Karen decided to adopt. “We just felt a lot of kids needed a chance.”



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Children in foster care make up a little less than half of the adoptions in Missouri each year. The rest are private adoptions.

## DOMESTIC ADOPTION

### STEPPARENT ADOPTION

Stepparent adoption typically occurs when one biological parent has remarried to a spouse who would like to become a legal parent.

#### STEPPARENT ADOPTION AT A GLANCE

**Typical cost:** \$1,500-\$2,500, depending on the relationship with the non-custodial parent and other factors. Costs can include a home study, filing fees and attorney fees.

**Benefits:** A stepparent adopting the spouse's child has parental rights, which are important in making choices about the child's education, health and safety, particularly when the birth parent dies before the spouse.

**Risks:** Generally the risks are minimal. A strained relationship between the non-custodial birth parent and custodial birth parent — or that parent's new spouse — can complicate the process.



Kurt and Kara were foster parents to Kyah for two years before parental rights were terminated and they were able to adopt.

#### PUBLIC AGENCY, FOSTER CARE

A public agency adoption is overseen by a government agency and involves a child in foster care.

About 130,000 children in U.S. foster care are waiting for a permanent home. About 2,000 of them are in Missouri.

This type of adoption may appeal to parents willing to take a school-age child.

In Missouri, the Department of Social Services Children's Division manages adoption of foster children, who may have been abused or neglected.

Adoptive parents can apply directly to adopt a foster child, or may first become foster parents and then adopt after the birth parents' rights have been terminated.

#### PUBLIC AGENCY, FOSTER CARE ADOPTION AT A GLANCE

**Typical cost:** \$0-\$3,500. The state usually pays the cost of the home study and other services. It is recommended that adoptive parents hire a lawyer. Some initial expenses may be covered by federal and state reimbursement.

**Benefits:** It usually is much less costly. State payment or reimbursement can cover much of the initial expenses, and many children are eligible for ongoing state subsidies to cover expenses such as medical, tutoring or day care. A unique benefit is the satisfaction of providing a caring, loving home to an older child who may not have previously experienced one.

**Risks:** Foster children are often older, and may present significant mental, emotional or physical challenges.

**Meet the foster kids:** Go online to see what children in Missouri are available for adoption:

[www.adoptuskids.org/states/mo/](http://www.adoptuskids.org/states/mo/)



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Kurt shares a quiet moment with Kyah. He says she has given his wife and him more than they could ever give her.



"She's the happiest little girl you've every seen," says Kyah's mother, in right photo.



"She had this dead-end life. But we gave her a fighting chance ... to go to college, get a job and get out of the welfare cycle. It has been so rewarding to adopt a foster child."

**Adoptive mother Kara**





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“Adoption expands your life in ways that you cannot predict or imagine.”

## INTERNATIONAL ADOPTION

Missouri parents may decide to adopt a child from another country through an agency or attorney. While dozens of countries participate in international adoptions, most U.S. parents adopt from China, Korea, Latin America and countries of the former Soviet Union.

By one count, more than 20,000 children from abroad were adopted in the United States in 2005.

The country where the child is born may use a governmental organization, private orphanage or other social institution as the adoption agency. Each country has its own regulations.

Most countries require that the adoptive parents travel to obtain a visa to take the child back to the United States.

### INTERNATIONAL ADOPTION AT A GLANCE

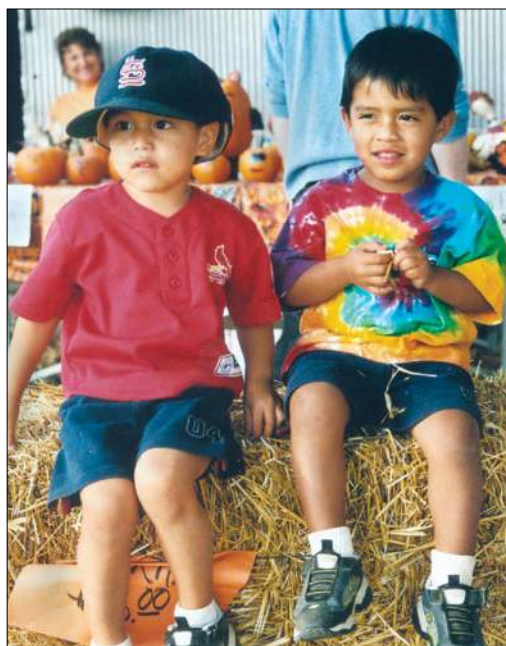
**Typical cost:** \$7,000-\$35,000, depending on the adoption agency fees and travel. Some countries may impose other requirements at an added cost.

**Benefits:** International adoptive parents usually are not chosen by the birth parents, which removes some uncertainty from the process. The fees and waiting period are somewhat predictable.

**Risks:** The political climate in some countries can be unpredictable, which can delay or derail the process. The child's medical information may be erroneous or incomplete, and the stress of moving to a new country can be traumatic for older children and may cause attachment issues.



Aaron, right, celebrates his third birthday with brother Ryan. James and Frances adopted the Guatemalan boys two months apart when they were younger than 1. “Since my dad was from South America, it made more sense to adopt from Latin America,” James says. They first pursued a domestic adoption but after delays working with birth mothers, they decided to adopt internationally.



Aaron, left, and Ryan attend a pumpkin festival. “Sometimes when people find out they are not related by birth they say ‘they’re not brothers.’ Of course they’re brothers. They are the only siblings they know,” says dad James. “Both are really good buddies.”



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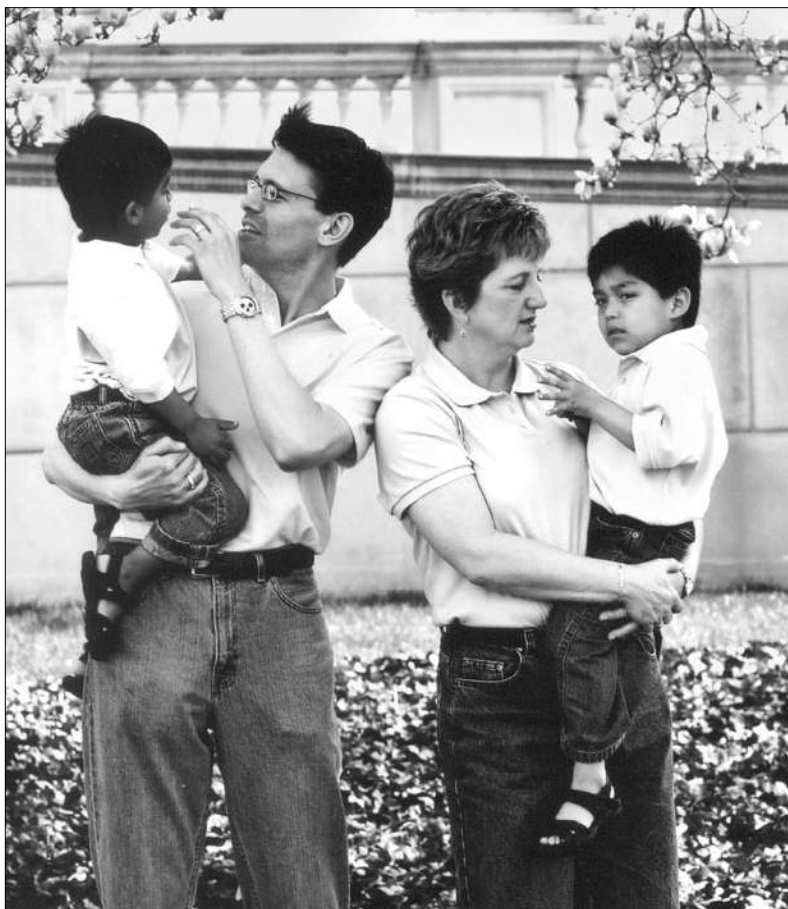
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James and Frances planned to adopt one child, Ryan. But after his adoption fell through, they were introduced to another child, Aaron. During conversations to adopt Aaron, they found out that Ryan had become available. They quickly decided to bring him to mid-Missouri too. Aaron was adopted in February and Ryan in April. “We’re really glad we have two kids,” James says.

“Each year we celebrate ‘Gotcha Day’ on the day we got each of our sons. It’s low-key — more of our family’s reflection on where we have come from and how much we have accomplished.”

**Adoptive father James**



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“I think the Department of Family Services staff is very devoted to the foster kids.”

# FAQs and myths

## What makes a child adoptable in Missouri?

A child is eligible for adoption when the birth parents agree to it, when a court has terminated their parental rights because of abandonment, neglect or abuse, or if both parents have died.

## What are the biggest needs facing adoptable children?

Missouri needs African-American parents willing to adopt older foster children.

## Will my race, age, religion, sexual preference, marital status or disability affect my qualifications to adopt?

Courts, adoption agencies and biological parents consider the best interests of the child based on these and other factors.

## If I adopt, can the birth parents change their mind and take back the child?

Once a court has accepted the consent to adoption, birth parents generally cannot revoke it.

## Is adoption just for the rich?

No. An adoption can cost from nothing to \$40,000, depending on the type of adoption. State and federal credits and private help may dramatically reduce the cost.

## How long does it take?

Being matched with a child can take days to years. It often depends on how specific the adopting parents are about a child. Once



Ashe, whose full name Ashenafi means “winner,” experiences his first snow in 2002.

## Know the law

Find the law on adoption in [Chapter 453 of the Revised Statutes of Missouri](#).

parents take custody, Missouri law requires them to wait six months before finalizing the adoption.

## Do I need a lawyer?

Adoption is a legal process, so most think a knowledgeable lawyer is critical. Some choose to work with a lawyer from the beginning, while others only use a lawyer to file the court papers to finalize the adoption. [See page 15 for lawyer referrals](#).

## Do birth parents need their own lawyer?

Birth parents have the right to be represented by a lawyer, although many choose not to be.

## What are birth parents' rights during the adoption process?

Before termination of parental rights (TPR), the birth parents are the legal parents and generally are in full control of what happens to their child. They also have influence over who adopts the child.

## What is a guardian ad litem?

This person is appointed by the court to represent the child and act in the best interest of the child during the adoption process. The guardian ad litem cannot also represent the birth or adoptive family.

## Can I learn how to adopt on the Internet?

The Internet provides an overwhelming amount of information, correct and incorrect. An Internet search of the word “adoption” yielded 170 million entries. The phrase “Missouri adoption” drew 11 million results.

## Can I talk to parents who have been through the process?

Consult the experts you are working with — government offices, adoption agencies and adoption lawyers. They may be able to put you in touch with experienced people.

Also, ask about a support group or network of people who have been through this process. [See resources, page 26](#).



# Getting started

Prospective adoptive parents face many questions and choices when they first begin considering adopting a child. The following information is intended to help parents make these decisions.

## Is it right for me?

Parents considering adoption should ask many of the same questions as any other prospective parent:

### Am I ready to raise a child?

Do my spouse and I agree on our readiness to be parents, parenting philosophy, division of labor, day care versus staying at home, and other basic questions?

### Do our relatives support this, and can we count on their help?

### How will it impact our other children?

### Are we financially prepared?

### Can I afford to adopt?

An adoption can cost nothing to \$40,000.

Adopting a child in the foster care system is typically the least expensive. Adopting an infant can be the most expensive, since it often involves the costs of medical care before, during and immediately after the child's birth. International adoptions also can be expensive because of agency fees and travel costs. The adoption agency or attorney you choose also will determine expense.

## Typical adoption fees in 2007

Home study	\$1,200-\$2,000
Birth parent social assessment	\$1,000 (paid by adoptive parents)
Birth parent legal fee	\$1,000
Filing fee	\$150-\$600
Guardian ad litem fee	\$75-\$350
Adoptive parent legal fee	\$1,500-\$4,000
Other court fees	\$200
Adoption agency fees	\$0-\$25,000

Other expenses may include travel, lodging and meals.

## Financial help available

**Government subsidies for foster children adopted in Missouri or a state-licensed agency:** Adoptive parents can qualify for state aid to help pay for a child's basic needs such as food, clothing and shelter.



**Employer benefits:** Your employer may offer financial assistance or paid leave. Adoption also is covered under the federal Family and Medical Leave Act, which allows workers to take time off for family matters without jeopardizing their job.

See [www.adoptionfriendlyworkplace.org](http://www.adoptionfriendlyworkplace.org) or call 877-777-4222.

**Income tax credit:** Some adoption costs can be claimed as a credit on your federal income tax return. Federal law in 2006 allowed a tax credit of up to \$10,960. If your adoption expenses are \$15,000, your \$10,960 tax credit can be obtained in one year or over several years. See [www.irs.gov](http://www.irs.gov) or call 800-829-1040.

**U.S. military reimbursement:** An adoptive parent on active duty can qualify for up to \$2,000 in reimbursement for expenses from adoption through a nonprofit agency. Contact the National Military Family Association, [www.nmfa.org](http://www.nmfa.org) or 800-260-0218.

### Loans and grants may be available from these and other sources:

National Adoption Foundation	<a href="http://www.nafadopt.org">www.nafadopt.org</a>	203-791-3811
Gift of Adoption Fund	<a href="http://www.giftofadoption.org">www.giftofadoption.org</a>	877-905-2367
Shaohannah's Hope	<a href="http://www.showhope.org">www.showhope.org</a>	800-784-5361



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“When adopting older children, recognize that they have their own personalities, formed in part by life events that you have never experienced.”

## Getting started

### Open versus closed adoption

In an open adoption, the birth parents have some post-adoption contact with the adoptive parents and child.

In a closed adoption, the birth parents have little or no contact, and the parties are generally unknown to each other. But it does not have to be all or nothing: Adoptive and birth parents can agree to any variation of contact, whether through in-person visits or letters and pictures.

### Cultural issues

Do you want to adopt a child of a particular gender, race, religion, nationality or other background?

### Health issues

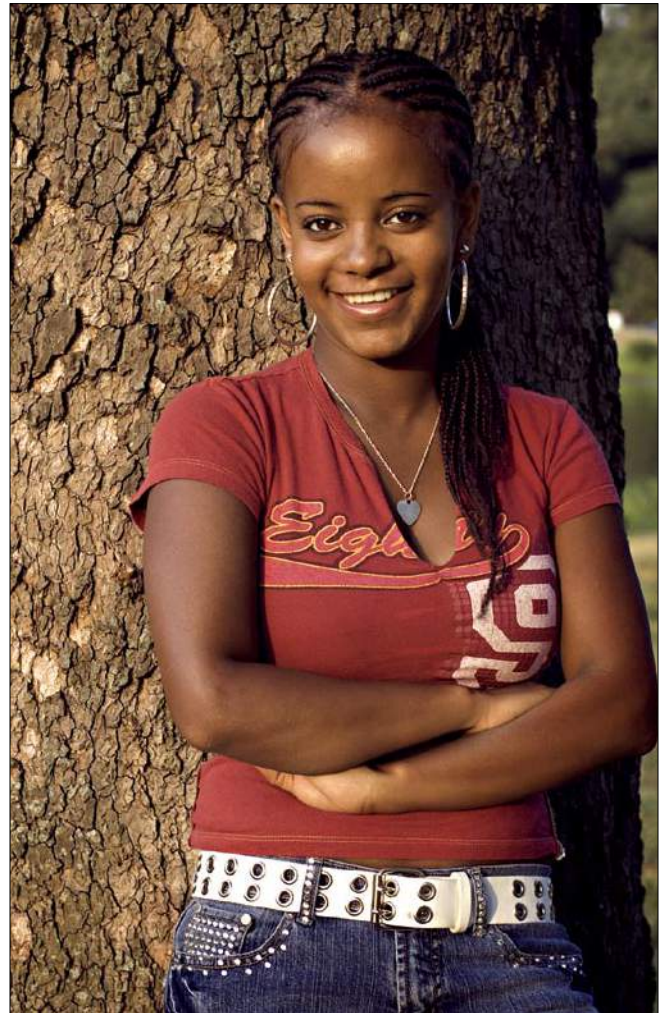
Some children have special needs. Missouri law requires prospective parents to be given certain background information about a child.

### Personal preparation

Adoptive parents face several requirements, some of them set by law, and others set by the private adoption agency, law firm or birth parents. For example, a birth mother may only allow her child to be adopted by a married couple, or by a couple under age 35.

### Warning

Courts cannot mandate or prohibit any post-adoption contact between birth parents and adoptive parents. Most experts advise that adoption agreements are nothing more than a moral agreement. If the adoptive parents change their minds about visitation or other terms, it is difficult for birth parents to challenge their decision in court. On the other hand, both parties may elect to have more visitation than originally planned in the agreement.



Rahel, 17, has extended family in Ethiopia with whom she keeps in contact as well as two cousins in Vermont. She and her brother were adopted in 2001.

“A parentless child becomes everybody’s child in Ethiopia. It’s a very full culture, with deep roots. We still are in contact with my children’s cousins, which is very unusual in an international adoption.”

**Joan Gummels, adoptive mother of two**



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## Hiring an adoption professional

### Adoption agency

Adoption agencies in Missouri must be licensed by the Department of Social Services. Prospective parents can get a list of licensed agencies by calling the Children's Division, Residential Program Unit, at 573-751-4954.

You can check if an agency is nationally accredited with the Council on Accreditation at [www.coanet.org](http://www.coanet.org) or by calling toll-free 866-262-8088.

### Reputation and references:

The best way to select an adoption agency is to work with one that is known to you or recommended by someone you trust. But still do your own research.

Also, check with the state or Better Business Bureau for complaints against an agency:

- Department of Social Services, Children's Division: 573-751-4954.

- Better Business Bureau: [www.bbb.org](http://www.bbb.org) or call 703-276-0100.

**Available services:** Different agencies provide different services such as prospective parent orientation, help with home study preparation, a how-to guide, willingness to help adopt in other states and countries, and ability to get financial help.

**Process:** Ask how the agency identifies children for adoption and how long the process takes.

**Requirements:** Ask what criteria the agency uses in choosing adoptive parents. Courts, adoption agencies and biological parents may consider your race, age, religion, sexual preference, marital status, disability and number of people in your household.

### Avoid adoption scams

Consumer fraud can cause financial havoc. But an adoption scam, with the added emotions involved, can be devastating. Avoid being a victim:

Watch for offers that sound too good to be true — they probably are. Adoptions can be costly, time-consuming and require intense background checks and paperwork. Be suspicious of any company that promises a shortcut.

Do not make large payments up front. A reputable agency or attorney will ask for partial fees in advance, then accept full payment when the process is complete.

Don't make payments directly to birth parents, but through your adoption agency or attorney.

If dealing directly with birth parents, beware of inconsistent stories, increasing requests for money, broken appointments, or incomplete information such as the birth mother's address, or names of her medical providers or the child's birth father.

### Adoption attorney

Choose a lawyer you know or who has been recommended by someone you trust.

If you need help finding a lawyer, contact these associations:

Missouri Bar Lawyer Referral Service	<a href="http://www.mobar.org">www.mobar.org</a>	573-636-3635
Bar Association of Metropolitan St. Louis	<a href="http://www.bamsl.org">www.bamsl.org</a>	314-621-6681
Kansas City Metropolitan Bar Association	<a href="http://www.kcmba.org">www.kcmba.org</a>	816-221-9472
Springfield Metropolitan Bar Association	<a href="http://www.smba.cc">www.smba.cc</a>	417-831-2783
American Academy of Adoption Attorneys	<a href="http://www.adoptionattorneys.org">www.adoptionattorneys.org</a>	202-832-2222

Different courts in Missouri may have different local adoption rules. Your attorney should be familiar with the rules in your county.



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“Every adoption  
story is unique.”

# The process: Domestic adoption

While each adoption has its own unique legal details, most follow a similar process. There are some exceptions for stepparent and foster care adoptions.

## Finding a child

Prospective parents may identify a child through an adoption agency or lawyer, foster care system, friends, physician, advertisements, church and the Internet.

Adoption agencies and biological parents may have their own criteria for the prospective parents such as age or religious affiliation.

## Home study

Before a child can be placed with prospective parents, state law requires them to undergo a formal assessment known as a home study. This evaluation looks at their family, home, health, history and other factors to make sure adoption is appropriate. The process may take six to eight weeks.

## Background assessment of birth parents, child

State law requires the birth parents and child to undergo assessments, which will be provided to the prospective parents.

The assessment includes physical descriptions and medical and social backgrounds. It may include the hobbies and talents of family members and even whether they are right- or left-handed.

If confidentiality is requested, the report will not include

## Confidentiality of records

In Missouri, files and records that provide identifying information about the biological parents or siblings are closed, except by order of the court. No one can access them.

## Search & reunion (closed adoptions)

Birth parents and children involved in closed, anonymous adoptions may decide later that they would like to meet. This decision must be mutual. The Missouri Department of Social Services maintains an adoption registry. Birth parents may register their name at any time.

Once adopted children turn 18, they also may choose to register. This list is not public information, but the department monitors the registry for matches.

Once the department believes there is a match, it is required by law to begin contacting the parties to get consent to release identities.

You can get the Adoption Information Registry form by contacting the Department of Social Services at 800-554-2222 or [ago.mo.gov/adoption/](http://ago.mo.gov/adoption/).



Andrew's adoptive parents still send photos and letters to his birth mother and sister.

identifying information about the birth parents.

Sometimes a child born in one state will be placed with parents in another. Most states have enacted the Interstate Compact on the Placement of Children, which makes it easier to comply with the other state's laws. Your adoption professional should be able to

advise you.

If the child is a member or eligible to be a member in a Native American tribe or Alaskan Native village, then the Indian Welfare Act may apply to your adoption. If you think the child may fall under this law, consult your adoption professional.



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**Relinquishment of birth parents' parental rights**

Birth parents may relinquish parental rights through either termination of parental rights or consent to adoption. Finalization of the adoption may then proceed. [For more information, see page 23.](#)

**Receiving the child**

Once you are approved for adoption, the child is placed with you in temporary custody for six months before the adoption can be finalized. The agency performing the home study provides ongoing supervision during this time.

Some counties appoint a court-appointed special advocate to look out for the best interests of foster children awaiting adoption.

Also, the court assigns a guardian ad litem to look after the best interests of the child. This legal representative is usually a local family-law attorney not representing any of the parties.

Generally, the guardian ad litem supports the adoption, unless he thinks it is not in the child's best interest. The guardian ad litem may want to interview other members of your household or extended family who will be actively involved in the child's life.

During the six months, you have certain rights. You are covered by the federal Family and Medical Leave Act, which requires most employers to allow unpaid time off for family issues. Also, state and federal law requires your health insurance company to cover the child as if born to you.

**Finalizing the adoption**

After six months, you will



Kyah has brought joy to their lives, say adoptive parents Kurt and Kara.

**“While foster children may have attention deficit disorders or other problems, it doesn’t mean they’re damaged forever. They have an opportunity to thrive.”**

**Kara, adoptive mom of a foster child**

appear in court for a hearing to finalize the adoption. When the judge grants the adoption, you have the same parental rights as if the child was your biological child.

**Post-adoption**

A new birth certificate typically is issued after an adoption is finalized. The court will send papers to the state Bureau of Vital Statistics, which will seal the child's original birth certificate and prepare a new one listing only the adoptive parents.

The original birth certificate is now unavailable as a public record. If you change your child's name, it

will be listed on the new certificate.

If the child does not have a Social Security card, the adoptive parents may need to contact the Social Security Administration to obtain a card. If your child already has a Social Security number, your adoption professional may recommend getting a new one.

If you still have questions or difficulties adjusting, your adoption professional should always be willing to address them or direct you to those who can help. Adoption professionals view adoption as a lifelong process.



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“I had to create a family  
out of thin air.”

**The process:  
Domestic adoption**

## Differences in adoption process

### **FOSTER ADOPTION**

Foster children are typically in the custody of the state Children’s Division because of problems with their birth parents.

Some foster children may return to their biological family when the problems are corrected. Others will not because their parents’ rights have been terminated. These children are available for adoption.

The state pays for assessments and most other costs, making this the least expensive type

of adoption.

Foster parents have volunteered to allow foster children to live temporarily in their home. Some of them may decide to adopt the child in their care.

When foster parents file the petition to adopt, they usually are given priority over others.

Foster parents who have had a child in their care for at least nine months do not have to undergo the six-month waiting period before finalizing the adoption.

### **STEPPARENT ADOPTION**

Stepparent adoptions are usually uncontested, meaning the non-custodial parent is willing to voluntarily relinquish parental rights or does not oppose the adoption.

The home study requirement can be waived if both biological parents agree.

Once adoption is complete, the custodial birth parent no longer will get child support payments.

### **Payment to birth parents**

Prospective parents may arrange to pay some expenses for the birth parents, especially with infant adoptions. Missouri’s child trafficking law outlines what payments are legal.

They include medical expenses for the child’s birth, counseling for birth parents and child before the child is placed, and reasonable living expenses such as food, shelter, transportation, utilities and clothing.

Andrew plays  
with younger  
brother Ryan  
at Halloween.





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# The process: International adoption

While adopting a child from another country is still a legal process, it is quite different from a domestic adoption. You will be following that country's laws. Many of Missouri's laws on adoption will not apply.

## Choosing a country and adoption professional

You will need to decide what country to adopt from and what lawyer or adoption agency to hire. It may be helpful to meet with several agencies or attorneys to get more information about them and the countries where they have adoption experience. Some agencies work with many countries, while others specialize.

### When selecting a country, ask:

What countries have established adoption programs?

How are children in that country adopted?

Where do children live while awaiting adoption — foster care, orphanage or elsewhere?

What kind of care do children receive and what information — social and medical — will I receive, and how reliable is it?

What is the typical age of the children?

What is the average wait time for adoptions?

What are the risks involved in pursuing an adoption?

Can I talk to other parents who have adopted from that country?

How will my family and ethnic background blend with the child's culture and country?

Do adoptive parents have to go to the country, or can the child be escorted to the U.S.? If so, what length of stay is required? Is more than one trip required?

What is the average cost of adopting?

What determines the cost?

What is the political climate in the country and what are the attitudes toward adoption by U.S. citizens?

### When selecting an adoption professional, ask:

How long have you been providing adoption services in the country I am considering?

Do you have staff that speaks the native language?

Do you have relationships with officials or adoption professionals in that country? Can I contact them directly?

What are your costs?

When are payments due and what do they cover?

If the adoption fails, can you help initiate another? Will my costs start over?

[See page 15 for more tips](#) on selecting an adoption professional.



Rahel and Ashe started school one week after arriving in Missouri. They only knew about 100 words of English. To help them learn, their adoptive mother would place notes on objects with the name (see note on fireplace).

## The Hague Convention

The Hague Convention on Civil Aspects of International Child Abduction is an international agreement to protect children from being abducted from their birth country.

To learn about recent changes in the international adoption process, including country specific developments, go to [www.uscis.gov](http://www.uscis.gov) and go to the Press Room link.



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There is no six-month waiting period with an international adoption.

## **The process: International adoption**

### **The legal process**

One of the first steps is to complete federal form I-600A and submit it to the Office of U.S. Citizenship and Immigration Services. Get the form at [ago.mo.gov/adoption/](https://www.ago.mo.gov/adoption/). It lets the federal government know you intend to begin the adoption process in another country.

The USCIS will set an appointment for you to be fingerprinted at its Kansas City or St. Louis office.

### **Home study**

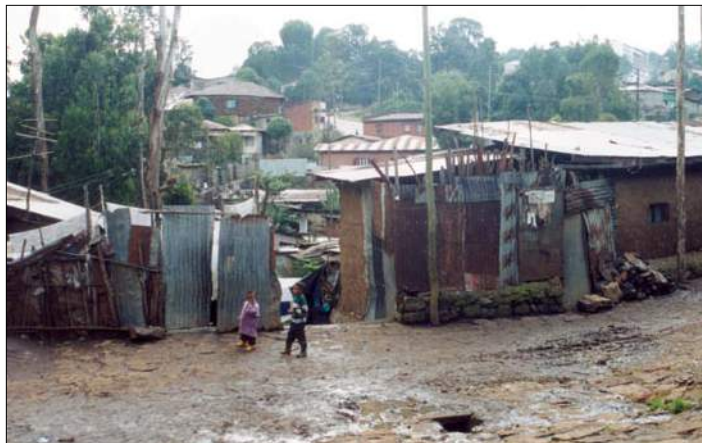
The prospective parents must complete a home study. There also may be country-specific issues that must be included.

The USCIS requires that the home study be no more than 6 months old when submitted. Adoptive parents must provide updates if significant events occur such as change in marital status, finances, residence, or arrests or convictions.

### **Choosing a child and clearing the way to travel**

Working with your adoption professional, you will decide on a child. Once the legal processing is completed in the foreign court, the parents will file Form I-600 with the USCIS. The form is available at [ago.mo.gov/adoption/](https://www.ago.mo.gov/adoption/).

The USCIS reviews the application to ensure that the child meets the “orphan” definition and qualifies for adoption under U.S. immigration law.



Before going to an orphanage, Ashe and Rahel grew up in a neighborhood similar to this one in their hometown in Ethiopia.

### **Traveling to child’s country**

Once the USCIS and the foreign court approve the adoption, you are cleared to travel to pick up your new family member.

While most adoptive parents choose to complete the process in person, some countries allow a third party — often a staff member of the adoption agency — to pick up the child.

Before you travel, learn more about the country. You will be more comfortable and better able to integrate that culture into your parenting if that is your goal.

Your adoption professional can help you with a checklist that may include passports, immunizations, clothing, blankets, diapers, bottles, traveler’s checks, foreign currency, stroller and car seat.

### **In the foreign country**

You may have to appear in court. You may even have to live in that country for a few days to a few weeks while awaiting completion of the adoption documents.

When the adoption is complete,

the parents apply for an immigrant visa, which allows the child to accompany you home. This is done at a U.S. consulate or embassy in the foreign country.

You will meet with a consular officer, who will visually inspect the child and ensure all paperwork is in place. This is called a visa interview. A physician approved by the U.S. government will examine the child to make sure there are no contagious diseases that make the child ineligible for a visa.

For more information about the visa, contact the U.S. Department of State, Office of Children’s Issues, at 888-407-4747 or [www.travel.state.gov](https://www.travel.state.gov).

Your adoption is now complete, and when you return to the United States, you are the legal parents.

**NOTE:** In some cases, readoption in state court is necessary to establish U.S. citizenship. Your adoption professional can advise you.



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"My children say Ethiopia is not like the images you usually see," says St. Louis adoptive mother Joan Gummels. "It is not all desert." This 2001 photo was taken the week she met and picked up her two children when they were 12 and 13. Behind them is their home of Addis Ababa, the capital of Ethiopia.



Siblings Rahel, 17, left photo, and Ashe, 18, with their adoptive mom Joan. After their birth mother died, they lived with their grandmother in Ethiopia. Unable to financially take care of them, their grandmother gave up custody and they lived in orphanages for more than two years before Gummels adopted.

"I always planned to adopt one older child. After unsuccessfully pursuing an adoption for a year, I got a mass e-mail and photo on my birthday. It was about two Ethiopian siblings and how their adoption had fallen through. I couldn't get them out of my head. I thought, 'Those are my kids.' "

**Joan Gummels, single mother**





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Readoption in state court sometimes is necessary to establish U.S. citizenship. Check with your adoption professional.

### **The process: International adoption**

#### **Post-adoption process**

##### **Name change, other issues**

Depending on the type of visa your child was issued and on your child's home country, you may need to pursue a judicial recognition proceeding to formalize the adoption in the United States. Your adoption professional can guide you through this process.

The paperwork will ask for basic information about the child, including name. Parents can change the child's name now.

##### **Follow-up home study**

Agencies and the child's birth country require that the adoptive parents obtain a home study after they arrive home. This evaluates the child's adjustment and development. Many agencies and countries also expect the adoptive parents to provide photographs and updates on the child's progress at least once a year.

##### **Adoption questions, cultural issues**

Parents will get questions about where the child is from and why they did not adopt domestically.

Your adoption professional or a parents support group can help you tactfully answer these questions.

While some questions may be offensive, this is an opportunity for your children and others to understand that your parent-child relationship is unique and special.

Children are inquisitive and will ask questions about their origins.



**Group hug:** Aaron and Ryan hug adoptive parents James and Frances.

“When they both go to sleep at night, Frances gives the kids a kiss on the head. I walk in and just look at them. It amazes me still.”

##### **James, on he and his wife's feelings after three years of being parents**

Some things your child may enjoy:

- Seeing pictures and souvenirs from your adoption trip.
- Seeing documents and correspondence about the long journey it took to adopt.
- Joining an adoptive families group. This is a great way to share experiences with other parents while exposing your child to other adopted kids.
- Learning his or her culture

through pictures, books, music, art and stories.

- Visiting the home country.

There are many resources to help adoptive parents grapple with these post-adoption issues. Your adoption professional, local library, bookstore and the Internet will have resources available to help you talk with your child about adoption.

# For birth parents

Birth parents, just like adoptive parents, have to make tough choices that will last a lifetime. While some parents are abusive or neglectful, others cannot financially or emotionally take care of their children and choose to provide a better home for their children through adoption.

## Birth parents usually fall into two categories:

- They are the legal parents of a child, and are considering an adoption plan for their child.
- Their parental rights have been permanently terminated, and they have contact or want to make contact with their child.

## Involuntary termination of parental rights (TPR)

A court makes this decision because of abandonment, neglect or abuse of a child or other serious reasons. The decision is usually made at the request of the Missouri Department of Social Services or a county juvenile officer.

## Consent to adoption

Birth parents may choose to relinquish their parental rights so their child can be adopted. Missouri law requires a child to be at least 48 hours old before a consent to adoption is valid. Once accepted by the court, the birth parents cannot change their minds and revoke the consent.

## Birth parents' rights before relinquishment

As the birth parents, you generally are the legal parents of and decision-makers for your child until the papers are signed to terminate your parental rights.



## Birth parents' rights

You have the right to be represented by a lawyer and may receive emotional and grief counseling paid for by the adopting family or adoption agency.

You may choose to allow the adoptive parents to have input on your prenatal care and delivery, visitation in the hospital after delivery, or any other part of the process.

You also have the right to have medical bills and qualified living expenses paid.

This is the time to think about what you want after the adoption is finalized. Factors to consider:

## Open versus closed adoption:

Do you want to have a relationship with the child after the adoption? Will the adoptive parents agree to it?

**Visitation:** If the adoption will be open, how often would you like to see the child? Where? Will it be supervised?

**Input:** Will you be included in decisions affecting the child, such as medical care, schooling and financial matters?

Discuss your wishes with the adoptive parents. But know that even if they agree to them in writing, they can change their minds, and these agreements probably are not enforceable in court.

## After TPR

Once your parental rights have been terminated, you no longer are the legal parent of the child. But you do have the right to pursue contact once your child is an adult.

After becoming an adult, the adopted child may wish to find out your identity. Court personnel may not provide this information without the consent of both birth parents.

If one of the birth parents has died, consent is only required from the surviving birth parent.



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“We tried hard to reunite our foster daughter with her mom.”

## **For birth parents**

### **Rights of unmarried birth fathers**

A man who is not married to the mother of his child can claim legal paternity if both birth parents sign an Affidavit Acknowledging Paternity. This document is available from most hospitals and the Missouri Bureau of Vital Records at 573-751-6378.

If the birth mother cannot be located or is unwilling to sign the affidavit, a man can add his name to the Putative Father Registry. This does not officially establish paternity, but it does establish a man's claim to be the father of a child.

If a man registers before or within 15 days of his child's birth, he will be notified if there is an adoption proceeding involving the child. The adoption will then need his consent to continue.

A man can add his name to the registry by completing the Notice of Intent to Claim Paternity. Contact the Missouri Department of Health and Senior Services at 800-859-7999 or get the form at [ago.mo.gov/adoption/](http://ago.mo.gov/adoption/).

### **Adoption agreements**

If you sign an agreement with the adoptive parents for visitation or other privileges, think of this as a moral, not legal, agreement. If adoptive parents change their minds, it will be difficult if not impossible to enforce the agreement.

### **Grief**

Choosing adoption is a courageous demonstration of love for your child. It may also be one of the most difficult experiences of your life. There is a normal grieving process that all birth parents experience.

The adoption experts working with you can steer you toward the resources needed to work through these issues, either through a professional counselor or support group.

Most professionals see adoption as a lifelong process. If you are struggling emotionally, even years after the adoption, talk with your adoption agency or attorney about resources that can help you.

### **Search and reunion (closed adoptions)**

Birth parents and children involved in closed, anonymous adoptions may decide later that they would like to meet. This decision must be mutual.

The Missouri Department of Social Services maintains an adoption registry. Birth parents can register their name at any time. An adopted child can register at age 18.

This list is not public information, but the Department of Social Services monitors the registry for matches. Once the department believes there is a match, it is required by law to begin contacting the parties to get their consent to release identities.

You can get the Adoption Information Registry form by contacting the department at 800-554-2222 or going to [ago.mo.gov/adoption/](http://ago.mo.gov/adoption/).

In addition, adoptees 18 and older may request a search to connect with their birth parents.

Adoption searches may be conducted by licensed child-placing agencies or other persons authorized by the courts.

If a search is successful, the decision to meet must be mutual by the adoptee and birth parents.



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# Forms and special recognition

## Adoption Information Registry Form

### Form for biological parents:

[ago.mo.gov/adoption/](http://ago.mo.gov/adoption/)

### Form for adopted children:

[ago.mo.gov/adoption/](http://ago.mo.gov/adoption/)

Missouri Department of  
Social Services  
800-554-2222

[www.dss.mo.gov](http://www.dss.mo.gov)

## Affidavit acknowledging paternity

Form: [www.dhss.mo.gov/BirthAndDeathRecords](http://www.dhss.mo.gov/BirthAndDeathRecords) (only available in hard copy)

Missouri Bureau of Vital  
Records  
573-751-6378

## Notice of intent to claim paternity (putative father)

Form: [ago.mo.gov/adoption/](http://ago.mo.gov/adoption/)

Missouri Bureau of Vital Records  
573-751-6378

[www.dhss.mo.gov/BirthAndDeathRecords](http://www.dhss.mo.gov/BirthAndDeathRecords)

## International adoption forms

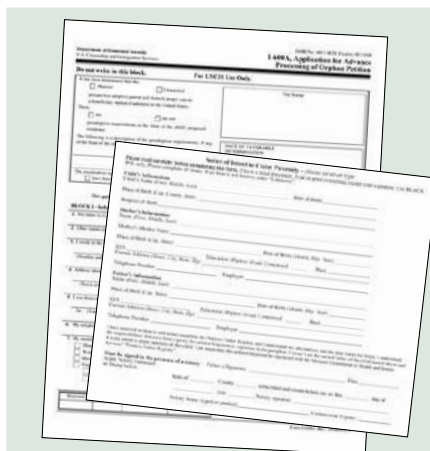
I-600A Application for Advance Processing of Orphan Petition form:

[ago.mo.gov/adoption/](http://ago.mo.gov/adoption/)

U.S. Citizenship and Immigration Services

[www.uscis.gov](http://www.uscis.gov)

800-375-5283



Forms can be found on the  
Attorney General's Web site:

**[ago.mo.gov/  
adoption/](http://ago.mo.gov/adoption/)**

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“We know she’s  
safe with us.”

# Terms and resources

**Adoptee:** Child being adopted.

**Adoptive parents or family:**

Family adopting or seeking to adopt the child.

**Adoption petition:** Legal document that prospective parents use to request a court’s permission to adopt.

**Affidavit acknowledging**

**paternity:** Document signed by both birth parents acknowledging the birth father of the child.

**Birth parents or family:**

Biological parents of a child.

**Closed adoption:** Adoption in which the birth family and adoptive family have no contact after the adoption and sometimes are unknown to each other.

**Consent to adoption:** Document signed by a birth parent agreeing that a child may be adopted. It relinquishes a child for adoption — parental rights are terminated at the finalization of adoption.

**Finalization of adoption:** Last step in a domestic adoption where the parents take legal custody of a child. It usually involves a court hearing.

**Foster care:** System of child custody run by the state of Missouri. Children in foster care are in temporary custody of the state because of problems with their birth family.

## RESOURCES

[www.Metrokcadoption.com](http://www.Metrokcadoption.com):

Resource and links for the Kansas City area.

[www.nacac.org](http://www.nacac.org): General information on adoption and contacts for support groups in Missouri.

[www.davethomasfoundation.com](http://www.davethomasfoundation.com):

The Dave Thomas Foundation for Adoption is a nonprofit public charity dedicated to foster care adoptions in North America.

[www.adopt.org](http://www.adopt.org): General information and support for all parties.

[www.birthmother.com](http://www.birthmother.com):

Support and resources for birth parents.

**Guardian ad litem:** Attorney assigned by the court to represent the interests of the child during an adoption.

**Home study:** Evaluation of the family who wants to adopt.

**Indian Child Welfare Act:** Federal law that says if an adoptee is a Native American, the child’s tribe may have some say over who adopts.

**Interstate Compact on the Placement of Children:**

Agreement among most U.S. states governing how states interact with each other when adoptive parents and children live in different states.

**Open adoption:** Adoption in which there is some contact between birth family and adoptive family and child after the adoption is finalized.

**Putative father:** Man who has had sexual relations with a woman who is not his wife and who has been notified that she may be pregnant by him.

**Putative Father Registry:** Allows a man to make a legal claim that he is the father of a child. Joining the registry gives a man some say over whether the child can be adopted.

**Termination of parental**

**rights (TPR):** Court order that permanently removes birth parents’ legal claim to their child.

**Visa:** A document that allows a citizen of another country to legally enter the United States. Children adopted internationally must have a visa before adoptive parents can bring them to the U.S.

**Wrongful adoption:** An adoption that occurred as a result of incomplete information given by an adoption professional. Generally this type of adoption would not have occurred if the parents had known the accurate history of the child.



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